

Applicant: Oliver Denzler
Application No.: 10/590,007

REMARKS

Claims 1 – 3, 5 – 7, 9 and 11 – 14 are currently pending in this application, as amended. Claim 1 has been amended. Claim 8 is presently and claims 4 and 10 have been previously cancelled without prejudice. No new matter is added by this Amendment.

Claim Rejections - 35 USC §103(a)

Claims 1, 3, 5, 6, 8, 9 and 14 were rejected under 35 U.S.C. § 103(a) as obvious over U.S. Patent No. 3,014,667 to McLean et al.

Applicant respectfully traverses the rejection.

Claim 1 has been amended to include the features of claim 8. Claim 1 currently recites a plumbing spout device including a mounting sleeve having an external thread, which is connected to a water spout, having an internal thread, of a plumbing water spout fitment via a screw connection. The plumbing spout device also includes a flow rectifying device, and an attachment screen being connected upstream of the flow rectifying device in a direction of flow and a housing neck is connected downstream of the flow rectifying device on the outlet end of the spout device is provided for forming a jet. The flow rectifying device is provided as a perforated plate and has a perforated area at least in a partial region thereof. An outflow-side of the flow rectifying device is arranged at an outlet of the mounting

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sleeve and the flow rectifying device is integral with the mounting sleeve. The spout device also includes a contoured outer end face tool attachment surface projecting beyond the thread in the outlet direction for a tool insert.

The jet regulator of McLean describes an aerated jet regulator in that free flowing water is mixed with air and a pearly water stream is thereby formed. This mixing of the free-flowing water with air requires multiple parts mainly at least one jet fractionating device that takes in the required air from outside of the housing, as well as the flow rectifier device which slows down the water streams and provides a thorough mixing of air and water. McLean describes a double plate separator which creates great turbulence when it slows down the free flowing water streams. This provides for an effective and also complex flow rectifier device. In McLean, the flow rectifier includes three separate sieves. The sieve (18) and the housing are formed of different materials. The housing is made of brass and the sieves are made of stainless steel. The sieves are reinforced peripherally with washers or nuts to prevent deformation of the sieves. Between the washers or nuts is a holder made of a further different material. In McLean, the different materials used would be an obstruction for one of ordinary skill in the art to consider making the equipment as a single piece. McLean is simply an example of a well known state of the art and since there are multiple components, requires a housing having a correspondingly higher heights. This is in direct contrast with the present invention which has a

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thin coin-like profile where the fractionating plate (15) of McLean can be eliminated altogether.

The spout device according to the invention is, in contrast with that of McLean, a non-aerated flow rectifier. Since it is not aerated, the device takes no air from outside, and is comprised of few components, and has a correspondingly thin profile. The height of the spout device can measure so thin that the length is a fraction of the cross-section height of the spout fitment. This provides designers with greater freedom in designing spout fitments.

While McLean shows multiple sieves (18) to slow down the jets and to form a stream, such sieves are not required by the spot device of the present invention. The spout device of the present invention includes a pre-sieve which simply serves to filter out impurities from the free-flowing water.

In the spout device of the present invention, the flow rectifying device is integral with the housing having the outer threads, so that the flow rectifying device essentially carries the threads. This is in contrast to McLean, where an additional housing (20) is required that carries the threads and where the rectifier is inserted therein.

Claim 1 has been amended to include the features of claim 8, namely a housing neck (8) connected downstream of the flow rectifying device on the outlet end of the spout device. Despite the examiner's assertion that the bottom portion of

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(20), i.e., the housing in McLean, this is not shown. It is clearly shown in Figures 3, 4 and 6 of the present application. The necking portion, downstream of the flow rectifying device (5), restricts the water flow, creating a pooling and calming of the water flowing through the device. McLean simply does not show a neck portion of the housing (20). (Please refer to Figure 3.) As shown in Figure 3 of McLean, the housing portion (20) is continuously straight and does not have a neck portion downstream of the flow rectifier as is currently claimed. The housing neck (8) provides good jet quality and a constant jet pattern for the water emerging from the spout device.

Claims 2, 7 and 11 – 13 were rejected under 35 U.S.C. § 103(a) as obvious over McLean in view of U.S. Patent No. 6,126,093 to Grether et al.

Claims 2, 7 and 11 – 13 depend from claim 1, which has been amended to include the features of claim 8, which was not rejected as obvious over McLean in view of Grether, thus rendering the rejection moot.

In view of the amendments and arguments presented above, withdrawal of the §103 rejection of claims 1 – 3; 5 – 7; 9 and 11 – 14 is respectfully requested.

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Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application, including claims 1 – 3, 5 – 7, 9 and 11 – 14, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

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